

500 Rec'd OCT/PCT 01 JUL 2002 8

BOX PCT  
PATENT  
0459-0702P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: BJERRUM, Niels J. et al. Conf.: 7042  
Int'l. Appl. No.: PCT/DK00/00495  
Appl. No. 10/070,558 Group: UNASSIGNED  
Filed: May 6, 2002 Examiner: UNASSIGNED  
For: POLYMER ELECTROLYTE MEMBRANE FUEL CELLS

L E T T E R

**BOX PCT**  
Assistant Commissioner for Patents  
Washington, DC 20231

July 1, 2002

Sir:

Applicant wishes to advise the United States Patent and Trademark Office that a Declaration was filed on May 6, 2002, to perfect Applicant's filing requirements.

The filing requirements were perfected prior to the receipt of the Notification of Missing Requirements (371 Formalities Letter), a copy of which is attached hereto.

As evidence of Applicant's previous submission of a Declaration in connection with the present application, Applicant encloses a copy of the Declaration and Power of Attorney, filed May

Appl. No. 10/070,558

6, 2002, and a copy of the postcard indicating receipt of the Declaration by the U.S.P.T.O.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Joe McKinney Muncy  
Joe McKinney Muncy, #32,334

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

KM/asc  
0459-0702P

Attachments: Copy of 371 Formalities Letter  
Copy of Postcard Receipt  
Copy of Declaration and Power of Attorney

(Rev. 12/03/01)

Papers Filed herewith on: MAY 16 2002 (d)  
DOCKET NO.: 04S9-0702P ATTY: KM  
APPLICANT(S): B JEREM NIELS et al.  
APPLN. NO: 10/070,558 FILED: 03-08-02  
PAT NO.: \_\_\_\_\_

- New Application with Transmittal Letter
- Utility     Design     CIP     PCT     Provisional
- Filing Under 37 CFR 1.53(b)     CONT     DIV
- Filing Under 37 CFR 1.53(d) (CPA)
- Filing Under 37 CFR 1.114(RCE)
- Specification Consisting of: \_\_\_\_\_ pages
- Combined Declaration & Power of Attorney
- Assignment / Cover Letter
- Letter to Official Draftsman
- Drawings \_\_\_\_\_ Sheets     Formal     Informal     Red-Ink
- Completion of Filing Requirements, PCT/04/0905 or Formalities Letter and Executed Declaration
- Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_
- Amendment:
  - Transm Ltr     Large Entity     Small Entity
- Response \_\_\_\_\_
- Information Discl Stmtnt. PTO-1449(s) \_\_\_\_\_ ref(s)
  - Appeal Brief
- Notice of Appeal
- Issue Fee Transmittal
- FEES: \_\_\_\_\_
- Letter: \_\_\_\_\_
- Other: \_\_\_\_\_

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: 05-08-02

Handcary: \_\_\_\_\_



DOCKET NO. 04S9-0702P

Papers Filed herewith on: MAY 6 2002 (d)  
DOCKET NO.: 04S9-0702P ATTY: KM  
APPLICANT(S): B JEREM NIELS et al.  
APPLN. NO: 10/070,558 FILED: 03-08-02  
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  - Appeal Brief
- Notice of Appeal
- Issue Fee Transmittal
- FEES: \$50.00 #4023634
- Letter: \_\_\_\_\_
- Other: \_\_\_\_\_

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: \_\_\_\_\_  
Handcary: 544933

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JUL 23 2002  
TC 1700

DOCKET NO. 04S9-0702P



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

|                               |                       |                  |
|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/070,558                    | Niels J. Bjerrum      | 0459-0702P       |
| INTERNATIONAL APPLICATION NO. |                       |                  |
| PCT/DK00/00495                |                       |                  |
| I.A. FILING DATE              | PRIORITY DATE         |                  |
| 09/08/2000                    | 09/09/1999            |                  |

2292  
 BIRCH STEWART KOLASCH & BIRCH  
 PO BOX 747  
 FALLS CHURCH, VA 22040-0747

*[Handwritten signatures and markings]*  
*Docketed ES*  
*6/29/02*  
*Response*

CONFIRMATION NO. 7042  
 371 FORMALITIES LETTER  
  
 \*OC000000008185740\*

Date Mailed: 05/29/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

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Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/070,558                  | PCT/DK00/00495                | 0459-0702P       |

FORM PCT/DO/EO/905 (371 Formalities Notice)